

PLANNING COMMISSION MINUTES
August 4, 2016

PUBLIC HEARING

CASE NO. 14STREETS1014-1019

00:06:49

Request: Street Closure – 14STREETS1014-1019
Project Name: Wilson Quiet Zone
Location: Wilson/Woodland Avenue Rail Corridor
Owner: Louisville Metro
Applicant: Department of Public Works and Assets
Jeff Brown
444 South 5th Street
Louisville, Ky. 40202

Representative: Department of Public Works and Assets
Jeff Brown
444 South 5th Street
Louisville, Ky. 40202

Jurisdiction: Louisville Metro
Council District: 1 – Jessica Green
3 – Mary Woolridge
Case Manager: **Joel P. Dock, Planner I**

NOTE: Commissioner Brown recused himself for this case.

Notice of this public hearing appeared in The Courier Journal, a notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by the applicants.

The staff report prepared for this case was incorporated into the record. The Commissioners received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

00:07:51 Mr. Dock discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

Jeff Brown, Assistant Director of Metro Public Works, 444 South 5th Street, Louisville, Ky. 40202
Charles Whitfield, 2503 Standard Avenue, Louisville, Ky. 40210

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David Wooten, 1368 Hemlock Street, Louisville, Ky. 40211

Summary of testimony of those in favor:

00:15:22 Mr. Brown gave a power point presentation. "This project began probably in early 2000 and the Kentucky Transportation Cabinet identified this as a safety improvement corridor. None of the crossings are currently gated, which is a big safety impact for the area. Also, because they're not gated, this area does not qualify for a quiet zone, so the Transportation Cabinet and Norfolk Southern Railway agreed to provide \$2 million to provide gates at half of these crossings if Metro government agreed to provide safety improvements and close the remaining crossings. The combination of the gates and closures will help bring us into compliance with the quiet zone requirements and we can make an application after everything's installed to designate this as a quiet zone. That way there will be no train horns from Dixie Hwy. all the way north way past this area. Metro government's stake in this was to try and improve the quality of life for these neighbors."

00:34:00 Mr. Whitfield stated that the businessmen don't live there and don't have to deal with the noise. There are a lot of elderly people in the neighborhood and they deserve to have a quiet and safe environment.

00:35:38 Mr. Wooten doesn't live in the area (has business) but says the residents do deserve a quiet zone. The area is high crime area. If the commission is going to close some roads, then close them all.

The following spoke neither for nor against the request:

Charles A. Henderson, 364 North 41st Street, Louisville, Ky. 40212
James W. Elliott, P.O. Box 3015, Louisville, Ky. 40201

Summary of testimony of those neither for nor against:

00:20:54 Mr. Henderson owns the property on Wilson and Olive and it runs parallel to the railroad tracks.

Mr. Henderson is concerned that he won't be able to access his property. Mr. Brown said he will work with him.

00:24:45 Mr. Elliott is happy for the safety and quietness for the residents. He also stated he's concerned that his customers won't be able to access his business and is afraid the closures may shut him down.

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Deliberation

00:48:15 Planning Commission deliberation.

An audio/visual recording of the Planning Commission hearing related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

On a motion by Commissioner Jarboe, seconded by Commissioner Turner, the following resolution was adopted.

WHEREAS, The closure of these street segments results in no demand on public facilities and services currently or in the future as all utility agencies have consented to the closure. These closures will allow trains along the corridor to move through the neighborhood quietly as pedestrian and vehicular traffic will be permanently closed. Improvements will be made by Louisville Metro Public Works to enhance safety at crossings to remain open; and

WHEREAS, Any utility access necessary within the right-of-way to be closed will be maintained by agreement with the utilities and easements required by these agencies will be provided, if necessary; and

WHEREAS, the Louisville Metro Planning Commission finds, the applicant will bear the cost of all improvements; and

WHEREAS, the Louisville Metro Planning Commission further finds the closure complies with the Goals, Objectives and Plan Elements of the Comprehensive Plan found in Guideline 7 (Circulation) and Guideline 8 (Transportation Facility Design). Any physical improvements necessary for the closure will be completed by the applicant.

RESOLVED, that the Louisville Metro Planning Commission does hereby **RECOMMEND** to Metro Council, **APPROVAL** of 14STREETS1014-1019, street closure plan based on the testimony heard today and the staff report.

The vote was as follows:

YES: Commissioners Blake, Howard, Jarboe, Lewis, Peterson and Turner
NOT PRESENT AND NOT VOTING: Commissioners Brown, Kirchdorfer and Smith
ABSTAINING: Commissioner Tomes